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PATENT APPLICATION

ATTORNEY DOCKET NO. 200300049-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gregg S. Schmidtk, et al.

Confirmation No.: 9168

Application No.: 10/677,709

Examiner: Sarah L. Puroi

Filing Date: October 2, 2003

Group Art Unit: 3637

Title: Apparatus and Method for Mounting a Device to a Rack System

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date,  
11/05/2009, rejecting the following claims 1-3 and 5-13

☒ The fee for filing this Notice of Appeal is \$540.00 (37 CFR 41.20).

☒ No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$130

☐ 2nd Month  
\$490

☐ 3rd Month  
\$1110

☐ 4th Month  
\$1730

☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 540.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Gregg S. Schmidtk, et al.

By: /Philip Lyren #40,709/

Philip Lyren

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Reg No. : 40,709

Date : 5 February 2010

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